

PROB 12D  
(10/93)

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JAN 04 2002 PM

## United States District Court

for

Western District of Washington

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

JAN 14 2002

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

## Report on Offender Under Supervision

Name of Offender: Darris Mark Durall

Case Number: CR89-100R

Name of Judicial Officer: The Honorable Barbara Rothstein

Date of Original Sentence: July 17, 1990

Date of Report: January 3, 2002

Original Offense: Count One: Felon in Possession of a Firearm, 18 U.S.C. §§ 922(g), 924(e) and 2

Count Two: Conspiracy, 18 U.S.C. § 371

Original Sentence: 15 Years BOP Custody, 5 Years Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: August 21, 2000

## Special Conditions Imposed:

☒ Substance Abuse☐ Financial Disclosure☐ Restitution☐ Mental Health☐ Fine☐ Community Service☐ Other Conditions:

## NONCOMPLIANCE SUMMARY

The probation officer believes that Darris Mark Durall has violated conditions of supervision by:

## Violation

Number	Nature of Noncompliance
1	Using morphine on or before December 7, 2001, in violation of standard condition 7.

This is the first positive test result since:  
Placement under supervision

The probation officer has reviewed the matter and taken the following action:

☐ Placement in structured testing program  
☒ Reprimand by probation officer

☒ Increased frequency of testing  
☐ Compliance conference with unit supervisor

☐ Referral for professional assessment  
☐ Referral to community based residential program

☐ Referral for counseling  
☐ Referral for intensive outpatient treatment

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Report on Offender  
Under Supervision

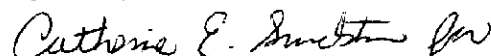
On December 7, 2001, Mr. Durall reported to the probation office without an appointment to submit his Monthly Supervision Report (MSR). While speaking with the receptionist, Mr. Durall observed U.S. Probation Officer Michael K. Banks, further asking him if he could be drug tested. Pursuant to his request, U.S. Probation Officer Banks collected a sample from Mr. Durall which was instantly tested, resulting in a presumptive positive for morphine. Notably, Mr. Durall was surprised by the result, further insisting he had not used any illicit controlled substances while on supervised release. After speaking with Mr. Durall, U.S. Probation Officer Banks forwarded the sample to Pharmchem Laboratories, Fort Worth, Texas, for further analysis.

On December 11, 2001, this writer met with Mr. Durall to discuss the results of the drug test. During this meeting, Mr. Durall was noticeably upset and concerned about the test. When questioned about the positive result, Mr. Durall attributed the result to his ingestion of a breakfast muffin, with mixed seeds, and a sandwich made of poppy seed bread. Following his disclosures, Mr. Durall was instructed to abstain from ingesting poppy seeds muffins and/or any other products containing poppy seeds while on supervised release. Mr. Durall advised he would comply with this writer's instruction.

On December 21, 2001, written confirmation was received from Pharmchem Laboratories stating Mr. Durall's December 7, 2001, sample was positive for morphine. On January 3, 2002, this writer initiated contact with Pharmchem Laboratories which reported Mr. Durall's specimen tested at very low levels for morphine. Based on the low level reading, Pharmchem Laboratories could not attribute the positive drug test to illicit drug use. Furthermore, Pharmchem Laboratories suggested the low level result could have been triggered by the ingestion of poppy seeds within 24 hours of the test.

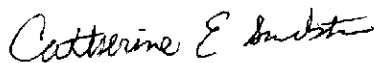
It is recommended that no action be taken by the court at this time. The offender's substance abuse, which is cited in this report, may be alleged in a violation proceeding at a later time in the event of further noncompliance.

Respectfully submitted,



Michael J. Larson  
U.S. Probation Officer


APPROVED:  
William S. Corn  
Chief U.S. Probation Officer

BY:   
Catherine E. Sandstrom  
Supervising U.S. Probation Officer

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THE COURT DIRECTS:

- ☒ Concur with probation officer action
- ☐ Submit a Request for Modifying the Condition or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other

  
Signature of Judicial Officer

1/14/02

Date